

SUBJECT: Transcript of Testimony by Chet Cooper and  
Pete Scoville on Cooper Bill (S. 2224) To  
Make Intel Info Available to the Congress.

1. Attached is subject transcript in which I have clipped and marked certain passages which you might find interesting.

2. Among the highlights:

a. In opening statement Senator Cooper noted that under Senate rules any member disclosing "secret or confidential" material is liable to expulsion (God knows when if ever this was last invoked but at least not since the Civil War).

b. Fulbright quoted Ray Cline as having told him that the Committee should have access to foreign intelligence analyses provided "sources and methods" were not jeopardized.

c. Fulbright asked whether it wouldn't be better to take CIA out of "bay of pigs" type of operations. Scoville said there were arguments on both sides.

d. Fulbright recalled Laird's testimony on the "first strike" question, which CIA did not support. He said "I was very embarrassed. The last thing I wanted to do was to embarrass Mr. Helms to the point where he might be relieved of his duties. And I was so afraid I might that I was reluctant to press it. And yet we did have a direct confrontation in the Senate because Mr. Laird insisted on having Mr. Helms come before the Committee with him at the same time; and it was a very delicate situation."

e. Fulbright said "in the last 10 or 12 years I think the reports of the CIA have proved in the light of subsequent experience to have been more accurate than any other estimates that came to my attention...." but he expressed apprehension that "the new Director being contemplated--I don't believe he has been appointed--is directly out of the military." Scoville said he thought the Chairman was referring to the Deputy Director. Fulbright said "I thought Mr. Helms had been moved up to sort of an overseer of the whole community and he would no longer be the Director--I hope that is wrong because I think he has proved to be a very effective man."

f. On the question of operational involvements corrupting intelligence analysis, Chet Cooper said "most of the people in the intelligence analysis field have no more idea of what is going on on the operational side and, therefore, have no reason to feel operationally involved, than people in any other part of the Government."

g. Referring to the handling of intelligence material by the Joint Committee on Atomic Energy, Chet Cooper said the analogy shouldn't be carried too far since the issues handled by the JCAE were normally not as "contentious" as those involved in estimates carrying sharp political overtones.

h. Senator Church quoted "Guess who" [Symington] as saying that the JCAE had far more information in its field than either two of the other committees of which he was a member, and Church argued that the Cooper bill would do for the Foreign Relations and Armed Services Committees what the Atomic Energy Act had done for the JCAE.

i. Senator Case argued that it wasn't enough to make intelligence information available to Congress--he said "what good does it do having a few more people know about it if the country as a whole can't know about the major problems." Scoville responded that in many cases conclusions from intelligence studies didn't need to be classified at all, and that Laird and others were putting out conclusions constantly without revealing sources or sensitive material. He said he thought the same result could be achieved by Congress working with the CIA.

j. Senator Cooper commenting on Congress' "constitutional responsibility" argued that access to critical information on major issues would not only enable Congress to do a better job, but would reduce the possibility of leaks.

k. Scoville observed that the Secretary of Defense puts out a regular posture statement on Soviet military capability on an unclassified basis with no harm done.

l. Responding to a further argument by Senator Case on making info available "to the American people," Chet Cooper was "a little troubled at the thought of using this bill---as a device for---providing a repository of information that comes in to you classified and leaves you unclassified."

m. Case replied that Congress was trying to screw up its nerve to use its appropriation authority to force the Executive Branch to provide more information.

n. Percy complained that he was "appalled" at Congress' lack of information in dealing with "profound questions"; he recalled his own "fallacious" judgment in voting for the SST and the ABM.


o. Chet Cooper remarked that intelligence was "only one small fraction" of the inputs to policy decision and suggested that the bill should address itself to policy papers.

p. Fulbright quoted the various points contained in State's letter to the Committee opposing the bill, rejecting each and soliciting some measure of agreement from Scoville and Chet Cooper.

q. Scoville said that at least in his day the Agency always felt obligated to keep Congress informed. Fulbright agreed adding that Helms has been responsive, frank, and accurate and his estimates had been borne out by subsequent events, especially regarding Southeast Asia, more than those of any Government agency. He


said that if anyone thought the Committee dissatisfied with the CIA, they were wrong adding that "I always found the CIA very helpful and, as a matter of fact, their briefing---in many cases reinforced my own views." He continued that except "in cases where they were involved operationally they have been most objective" and supplied the best information that they had. He went on "we are not trying to undermine them; we would like to strengthen and influence their prestige---and also make it more available to us--- Helms doesn't refuse to come to this Committee but he is very busy and there are certain things he says that he was instructed--I assume by the President--not to discuss with the Committee. He very frankly states there are certain aspects of his activity that he will not discuss with this Committee and we have to get it somewhere else if at all. But in the areas many of which are of great interest to us, he has always been very frank."

25X1A



JOHN M. MAURY  
Legislative Counsel

25X1

	<b>CENTRAL INTELLIGENCE AGENCY</b> Office of Legislative Counsel Washington, D. C. 20505 Telephone: <input type="text"/> 12 April 1972
	<b>TO: Mr. T. Edward Braswell</b> Chief Counsel Senate Armed Services Committee
<b>Ed:</b> Here are some excerpts on the Foreign Relation hearing where Chet Cooper and Pete Scoville-- two former Agency officers--testified on (basically in favor of) the Cooper bill. Larry Houston has called my attention to one very valuable but apparently hard to locate study by the Subcommittee on Constitutional Rights of the Judiciary Committee during the 85th Congress (2nd Session) entitled "Power of the President to Withhold Information From the Congress." It is in two parts and we only have a thermofax, but if you can get a copy I am sure you would find it valuable and if you can lay your hands on a second copy we would like a better one for our use.  John M. Maury	

STAT

FORM 1533 OBSOLETE  
6-68 PREVIOUS  
EDITIONS

(40)